



Arizona Corporation Commission

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BEFORE THE ARIZONA CORPORATION COMMISSION

WILLIAM A. MUNDELL
CHAIRMAN
JIM IRVIN
COMMISSIONER
MARC SPITZER
COMMISSIONER

AZ CORP COMMISSION
DOCUMENT CONTROL

IN THE MATTER OF THE RULES TO
ADDRESS SLAMMING AND OTHER
DECEPTIVE PRATICES

DOCKET NO. RT-00000J-99-0034

COMMENTS OF CITIZENS COMMUNICATIONS

Citizens Communications Company ("Citizens") submits these comments on the Commission's proposed rules regarding slamming, Article 19, and cramming, Article 20, on behalf of its three incumbent local exchange carriers ("ILECs") doing business in rural Arizona. These three rural ILECs are (1) Citizens Utilities Rural Company, Inc. d/b/a Frontier Citizens Utilities Rural, (2) Citizens Telecommunications of the White Mountains, Inc. d/b/a Frontier Communications of the White Mountains and (3) Navajo Communications Company, Inc.

Citizens has significant concerns regarding the added expense to make the changes that would be required to comply with the proposed rules, and has addressed those issues throughout this docket. However, for purposes of these comments, Citizens' has narrowed its comments on the proposed rules to address two of the

1 provisions that are reflected in both the slamming and cramming rules: (1) record
2 retention specifications and (2) foreign language requirements.

3 The proposed rules will require companies to enhance data and information
4 systems, which is both costly and time-intensive. Citizens urges the Commission to
5 adopt an effective date for these rules that allows companies a reasonable period of time
6 to comply with these rules.

8 **Record Retention Provisions**

9 Both the proposed slamming and cramming rules require telecommunications
10 companies to retain certain information for 24 months. Records of customers'
11 individual slamming complaints would be retained for 24 months (R14-2-1907.F).
12 Telecommunications companies would also be required to maintain records of
13 Customer Account Freeze authorizations and repeals for 24 months (R14-2-1909.F).
14 The proposed cramming rules would require telecommunications companies to preserve
15 records of individual subscriber service authorizations for 24 months (R14-2-2005.E),
16 and to keep records of unauthorized charges for 24 months (R14-2-2006.A.5).

18 Citizens' automated systems currently preserve records of individual customer
19 service order activity and any related remarks of its customer representatives for a six-
20 month period. To upgrade systems to store the data and information for the required
21 24 month period would pose significant hurdles for Citizens. To comply with the
22 proposed rules, Citizens would have to enhance system designs, program modifications
23 and undergo testing. In addition to the considerable expense, Citizens estimates that it
24

1 will take between six and eight months to effectuate the necessary changes. One reason
2 for the delay and expense is that Citizens is dependent on outside vendors to make the
3 necessary system enhancements. To have an outside vendor do this work so that
4 Citizens Telecommunications of the White Mountains and Navajo Communications
5 Company can comply with the 24 month data retention provisions will cost an estimated
6 \$131,000 or just over \$2.00 per access line. For these reasons, Citizen recommends
7 that the Commission delay the effective date of its proposed slamming and cramming
8 rules for one year. Delaying the effective date will provide a reasonable time frame for
9 telecommunications companies to modify their systems to accommodate lengthen record
10 retention responsibilities.
11

12 Language Requirements

13 Both the proposed slamming and cramming rules have specific Spanish and
14 foreign language requirements. An authorized carrier or its billing agent would be
15 required to notify subscribers of changes of their service provider in both English and
16 Spanish (R14-2-1906). This requirement applies to Citizens three rural ILECs in
17 Arizona because they are billing agents for AT&T. Telecommunications companies
18 would also be obligated to obtain authorization and communicate certain information
19 "in all languages used at any point in the sales transaction," (R14-2-2005.B).
20 Telecommunications companies would be required to conduct any sales transactions in
21 the customer's choice of English or Spanish (R14-2-2005.C). In addition,
22 telecommunications companies would have to notify customers of their slamming and
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1 cramming rights in both English and Spanish (R14-2-1908.C.4 and R14-2-2007.D.4).

2 The Arizona proposed rules directly affect Citizens' rural LECs because there
3 are call centers located in this state. Citizens has two customer-care centers in Arizona
4 - one in Kingman and one in St. Michaels. Customers of Frontier Citizens Utilities
5 Rural and Frontier Communications of the White Mountains are served by the Kingman
6 call center, while the St. Michaels call center serves customers of Navajo
7 Communications, Inc.
8

9 The Kingman call center utilizes a commercial translation service called
10 "Language Line" to assist its customers. Language Line translators interpret
11 conversations between Citizens' customers and its customer service representatives
12 during three-way calls. Commercial translation services, such as Language Line, are
13 expensive to use. Language Line interpreters cost Citizens \$1.60 per minute, and
14 utilizing interpreters in three-way calls typically doubles the average holding time of a
15 customer inquiry from 3½ to 7 minutes. If a company must provide this service to
16 every caller, and the call holding time for a call is doubled, the cost of a customer
17 contact will increase substantially. Increased costs such as this could have a direct
18 impact on business decisions, such as where call centers should be located. Economies
19 of scale in the provision of call center services have caused Citizens to consolidate call
20 centers elsewhere to take advantage of efficiencies and reduce costs.
21

22 Citizens is also concerned about the requirements regarding the Spanish language
23 that are contained in these rules. Navajo Communications' customer care center in St.
24

1 Michaels employs representatives who speak the Navajo language. According to the
2 U.S. Census, less than 1.3% of those living on Navajo Tribal Lands report Hispanic
3 origins, while the Navajo language is clearly prevalent on the reservation. Citizens'
4 decision to have a customer-care center on the reservation is in large part due to the
5 availability of Navajo speakers. To require that Navajo Communications provide
6 Spanish-speaking representatives would be impractical, unnecessary and expensive.
7

8 Conclusion

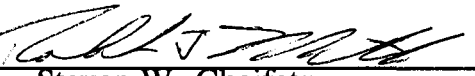
9 Citizens acknowledges that customers should be afforded some level of
10 protection from unscrupulous telecommunications providers. However, Citizens also
11 contends that this Commission should carefully assess the costs of the proposed rules
12 and balance the need for protection against the expense of implementing the proposed
13 rules. Therefore, Citizens recommends that:
14

15 (1) The slamming and cramming rules be given an effective date of one year
16 from adoption by the Commission to allow companies to make the necessary
17 technological changes to comply with these rules; and

18 (2) A telecommunications company that provides service in an area that is
19 predominantly Native American would not be required to provide notice of subscriber's
20 rights in Spanish, and must instead provide appropriate communication for the Native
21 American.
22
23
24

1 RESPECTFULLY SUBMITTED this 8 day of July, 2002.

2 CHEIFETZ & IANNITELLI, P.C.

3
4 By 
5 Steven W. Cheifetz
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7 Attorneys for Citizens
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9 Original and ten (10) copies of the foregoing
10 filed this 8th day of July, 2002, with:

11 Docket Control
12 ARIZONA CORPORATION COMMISSION
13 1200 West Washington Street
14 Phoenix, Arizona 85007

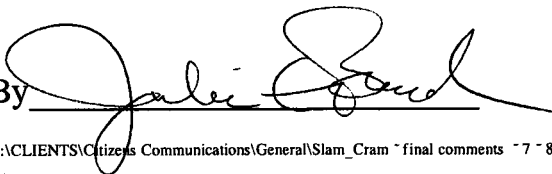
15 Copies of the foregoing mailed
16 this 8th day of July, 2002, to:

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All parties of record on the service list

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